



#6

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY  
(Includes Reference to Provisional and PCT International Applications)**

Attorney's Docket No.  
031998-007

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DNA REGULATORY ELEMENTS ASSOCIATED WITH FRUIT DEVELOPMENT**

the specification of which (check only one item below):

is attached hereto.

was filed as United States application

Number Continuation-In-Part of 09/160,351

on June 28, 2001

and was amended

on June 28, 2001 (if applicable).

was filed as PCT international application

Number   

on   

and was amended

on    (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:**

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. §119
			<u>  </u> Yes <u>  </u> No
			<u>  </u> Yes <u>  </u> No
			<u>  </u> Yes <u>  </u> No
			<u>  </u> Yes <u>  </u> No
			<u>  </u> Yes <u>  </u> No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

60/060,062

(Application Number)

September 25, 1997

(Filing Date)

(Application Number)

(Filing Date)

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)**  
 (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.  
 031998-007

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PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS		STATUS (check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
09/160,351	September 25, 1998		X	
<b>PCT APPLICATIONS DESIGNATING THE U.S.</b>				
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I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Eric H. Weisblatt	30,505	Bruce T. Wieder	33,815
Robert S. Swecker	19,885	James W. Peterson	26,057	Todd R. Walters	34,040
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Norman H. Stepno	22,716	William C. Rowland	30,888	Allen R. Baum	36,086
Ronald L. Grudziecki	24,970	T. Gene Dillahunty	25,423	Steven M. duBois	35,023
Frederick G. Michaud, Jr.	26,003	Patrick C. Keane	32,858	Brian P. O'Shaughnessy	32,747
Alan E. Kopecki	25,813	B. Jefferson Boggs, Jr.	32,344	Kenneth B. Leffler	36,075
Regis E. Slutter	26,999	William H. Benz	25,952	Fred W. Hathaway	32,236
Samuel C. Miller, III	27,360	Peter K. Skiff	31,917	Wendi L. Weinstein	34,456
Robert G. Mukai	28,531	Richard J. McGrath	29,195	Mary Ann Dillahunty	34,576
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E. Joseph Gess	28,510	Gerald F. Swiss	30,113		
R. Danny Huntington	27,903	Charles F. Wieland III	33,096		

  
**21839**

and: Malcolm K. McGowan, Ph.D., Reg. No. 39,300

Address all correspondence to:



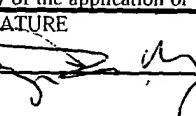
Teresa Stanek Rea, Esq.  
 BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404

**21839**

Address all telephone calls to: Malcolm K. McGowan, Ph.D.

at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	SIGNATURE	DATE
Gregory D. MAY		05/06/03

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**Supplemental Sheet**

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RESIDENCE Ardmore, Oklahoma		CITIZENSHIP U.S.
POST OFFICE ADDRESS 312 F Street S.W., Ardmore, Oklahoma 73401		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Stephanie K. CLENDENEN	SIGNATURE	DATE
RESIDENCE Portland, Oregon		CITIZENSHIP U.S.
POST OFFICE ADDRESS 8640 S.W., 89 <sup>th</sup> Avenue, Portland, Oregon 97223		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Hugh S. MASON	SIGNATURE	DATE
RESIDENCE Ithaca, New York		CITIZENSHIP U.S.
POST OFFICE ADDRESS 1311 Hanshaw Road, Ithaca, New York 14850		
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY Miguel a. GOMEZ LIM	SIGNATURE	DATE
RESIDENCE Guanajuato, Mexico		CITIZENSHIP Mexican
POST OFFICE ADDRESS Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670		
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY Charles J. ARNTZEN	SIGNATURE	DATE
RESIDENCE Mesa, Arizona		CITIZENSHIP U.S.
POST OFFICE ADDRESS 88 Leisure World, Mesa, Arizona 85206		



JUN 12 2003

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the specification of which (check only one item below):

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G X was filed as United States application

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on June 28, 2001

and was amended

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(if applicable).

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Attorney's Docket No.  
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<b>U.S. APPLICATIONS</b>		<b>U.S. FILING DATE</b>	<b>STATUS (Check one)</b>	
<b>U.S. APPLICATION NUMBER</b>			<b>PATENTED</b>	<b>PENDING</b>
09/160,351		September 25, 1998	<input checked="" type="checkbox"/>	X

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<b>PCT APPLICATION NO.</b>	<b>PCT FILING DATE</b>	<b>U.S. APPLICATION NUMBERS ASSIGNED (if any)</b>

William J. Mathis, Esq., Reg. No. 17,321, and Eric H. Weiland, Reg. No. 80,505, do hereby appoint the following attorneys and agents to prosecute said application and to transact and conduct business in the Patent and Trademark Office connected therewith and to file documents and to transact all business in connection with international applications directed to said invention:

Robert S. Swecker, Reg. No. 19,883	James W. Petersen, Reg. No. 26,057	Transact and conduct business in the Patent and Trademark Office connected therewith and to file documents and to transact all business in connection with international applications directed to said invention:	Todd R. Walters, Reg. No. 34,040
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Alan E. Kopecki, Reg. No. 25,813	Patrick C. Keane, Reg. No. 32,858	Brian P. O'Shaughnessy, Reg. No. 32,747	
Regis E. Slutter, Reg. No. 26,995	B. Jefferson Boggs, Jr., Reg. No. 32,344	Kenneth B. Leffler, Reg. No. 36,075	
Samuel C. Miller, III, Reg. No. 27,360	William H. Benz, Reg. No. 25,952	Fred W. Hathaway, Reg. No. 32,236	
Robert G. Mukai, Reg. No. 28,531	Peter K. Skiff, Reg. No. 31,917	Wendi L. Weinstein, Reg. No. 34,456	
George A. Hovanec, Jr., Reg. No. 28,223	Richard J. McGrath, Reg. No. 29,195	Mary Ann Dillahunt, Reg. No. 34,576	
James A. LaBarre, Reg. No. 28,632	Matthew L. Schneider, Reg. No. 32,814		
E. Joseph Gess, Reg. No. 28,510	Michael G. Savage, Reg. No. 32,596		
R. Danny Huntington, Reg. No. 27,903	Gerald F. Swiss, Reg. No. 30,113		
	Charles F. Wieland III, Reg. No. 33,096		

and: Malcolm K. McGowan, Ph.D., Reg. No. 39,300

Address all correspondence to: Teresa Stanek Rea, Esq.

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404

Address all telephone calls to: Malcolm K. McGowan, Ph.D.

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FULL NAME OF SOLE OR FIRST INVENTOR Gregory D. MAY	SIGNATURE	DATE
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POST OFFICE ADDRESS 312 F Street S.W., Ardmore, Oklahoma 73401		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Stephanie K. CLENDENEN	SIGNATURE	DATE
RESIDENCE Portland, Oregon	CITIZENSHIP U.S.	
POST OFFICE ADDRESS 8640 S.W., 89 <sup>th</sup> Avenue, Portland, Oregon 97223		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Hugh S. MASON	SIGNATURE 	DATE 11/16/01
RESIDENCE Ithaca, New York	CITIZENSHIP U.S.	
POST OFFICE ADDRESS 1311 Hanshaw Road, Ithaca, New York 14850		
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY Miguel a. GOMEZ LIM	SIGNATURE	DATE
RESIDENCE Guanajuato, Mexico	CITIZENSHIP Mexican	
POST OFFICE ADDRESS Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670		
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY Charles J. ARNTZEN	SIGNATURE	DATE
RESIDENCE Mesa, Arizona	CITIZENSHIP U.S.	
POST OFFICE ADDRESS 88 Leisure World, Mesa, Arizona 85206		

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FULL NAME OF SOLE OR FIRST INVENTOR <u>Gregory D. MAY</u>		SIGNATURE 	DATE 17 JULY 01
RESIDENCE <u>Ardmore, Oklahoma</u>		CITIZENSHIP U.S.	
POST OFFICE ADDRESS <u>312 F Street S.W., Ardmore, Oklahoma 73401</u>			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY <u>Stephanie K. CLENDENEN</u>		SIGNATURE 	DATE 17 JULY 01
RESIDENCE <u>Portland, Oregon</u>		CITIZENSHIP U.S.	
POST OFFICE ADDRESS <u>8640 S.W., 89th Avenue, Portland, Oregon 97223</u>			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY <u>Hugh S. MASON</u>		SIGNATURE	DATE
RESIDENCE <u>Ithaca, New York</u>		CITIZENSHIP U.S.	
POST OFFICE ADDRESS <u>1311 Hanshaw Road, Ithaca, New York 14850</u>			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY <u>Miguel a. GOMEZ LIM</u>		SIGNATURE	DATE
RESIDENCE <u>Guanajuato, Mexico</u>		CITIZENSHIP Mexican	
POST OFFICE ADDRESS <u>Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670</u>			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY <u>Charles J. ARNTZEN</u>		SIGNATURE	DATE
RESIDENCE <u>Mesa, Arizona</u>		CITIZENSHIP U.S.	
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POST OFFICE ADDRESS <b>1311 Hanshaw Road, Ithaca, New York 14850</b>			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY <b>Miguel a. GOMEZ LIM</b>		SIGNATURE	DATE
RESIDENCE <b>Guanajuato, Mexico</b>		CITIZENSHIP <b>Mexican</b>	
POST OFFICE ADDRESS <b>Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670</b>			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY <b>Charles J. ARNTZEN</b>		SIGNATURE <i>Charles J. Arntzen</i>	DATE <i>July 15, 2001</i>
RESIDENCE <b>Mesa, Arizona</b>		CITIZENSHIP <b>U.S.</b>	
POST OFFICE ADDRESS <b>7686 E. Wilderness Trail, Superstition Mountain, AZ, 85219 88 Leisure World, Mesa, Arizona 85206</b>			



## COMBINED DECLARATION FOR PATENT APPLICATION &amp; POWER OF ATTORNEY

JUN. 12 2003 (Includes Reference to Provisional and PCT International Applications)

## Supplemental Sheet

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POST OFFICE ADDRESS 1311 Hanshaw Road, Ithaca, New York 14850			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY Miguel a. GOMEZ LIM		SIGNATURE	DATE July 19, 2001
RESIDENCE Guanajuato, Mexico		CITIZENSHIP Mexican	
POST OFFICE ADDRESS Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670			
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JUN 1 2003

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.